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Sehr geehrte Damen und Herren,

KAX

in dieser Sache haben wir von der Prüfungsstelle einen weiteren Prüfungsbescheid vom 31.10.2007 (abgesandt am 8.11.2007) erhalten.

Eine Kopie dieses Prüfungsbescheides fügen wir zusammen mit dessen vollständiger englischer Übersetzung und Kopie der Entgegenhaltungen bei.

Wir wären Ihnen sehr dankbar, wenn Sie uns Ihre diesbezüglichen Informationen noch rechtzeitig zur Verfügung stellen könnten, da dieser Bescheid spätestens bis zum 8.2.2008 schriftlich bei der Prüfungsstelle beantwortet werden muß.

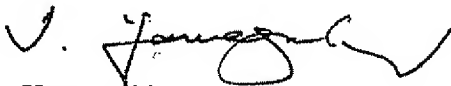
Bezüglich dieses Bescheides möchten wir Sie noch auf Folgendes hinweisen:

- 1) Die jetzt geltenden Patentansprüche 1 - 12 der japanischen Anmeldung entsprechen im wesentlichen denen von 1 - 12 Ihrer Fassung vom 27.9.2007.
- 2) Berichtigungen der Patentansprüche sowie der Beschreibungsteile sind nur gleichzeitig mit der Bescheidserledigung zulässig, und zwar nur im Rahmen des in den ursprünglichen Unterlagen offenbarten Anmeldungsgegenstandes.
- 3) Die Frist zur Erledigung des Bescheides kann auf Antrag (gebührenpflichtig) noch einen Monat, maximal um 3 Monate, d.h. im vorliegenden Falle bis zum 8.5.2008, verlängert werden.

- 4). Von einer Übersetzung der einschlägigen Beschreibungsstellen der Entgegnhaltungen
sehen wir zuerst ab. Falls Sie dies wünschen, bitten wir Sie um kurzen Hinweis.

Ihrer rechtzeitigen Rückäußerung sehen wir gerne entgegen.

Mit freundlichen Grüßen

A handwritten signature in black ink, appearing to read 'I. Yamaguchi', with a stylized flourish at the end.

Iwao Yamaguchi

Anlagen

Kopie des Bescheides mit Übersetzung

Kopie der Entgegnhaltungen

Serial No.: P-22418

Mailing No.: 562709

Mailing Date: November 8, 2007

NOTICE OF REASONS FOR REJECTION

Patent Application No.	2003-560573
Drafting Date	October 31, 2007
Patent Office Examiner	Yosuke Tanaka 3009 2W00
Agent of Patent Applicant	Iwao Yamaguchi Esq.
Articles Applied	Article 29 para. 2, Article 36

This application is to be rejected for the reason below.
If you have any opinion against this, a written opinion is to be submitted within 3 months from the mailing date of this notice.

Reasons

[Reason 1]

Since the invention related to the following claims of this application could have easily been accomplished prior to this application by any person having common knowledge in the technical field to which the invention belongs on the basis of the invention described in the following publication circulated within the State of Japan or in any foreign country

or the invention publicly utilizable through an electro-communication line prior to this application, the invention of this application can not be patented under the stipulation of Article 29 paragraph 2 of the Patent Law.

Note

(as to Cited Reference, refer to the List of Cited References)

Claims 1 to 12

Cited References 1 to 3

Remarks:

In Cited Reference 1, an electrical measuring probe (eddy current probe) is described, which is flexible as a whole in order to apply for a body which is to be tested and has various radii of curvature, includes a substrate (flexible substrate) and at least one electric part (drive element, sensor element) provided on the substrate and is used on the test body, wherein two electric parts (drive element and sensor element) are provided on the substrate, the probe has a flexible backing (ferrite support (refer to claims 27)) which functions as a ferromagnetic signal amplifier (refer to lines 36 to 38, right column, page 7).

- Concerning the invention related to claim 1

In the Argument, the applicant insists that the invention of this application is clearly different from the structure described in Cited Reference 1 in that "the flexible backing functioning as a ferromagnetic signal amplifier" is provided.

However, in lines 36 to 38, right column, page 7 of Cited Reference 1, it is described that "flux entering is intensified" by laminating flexible "ferrite support plates". Since this attributes to signal amplification, this description corresponds to the "backing" in claim 1.

Therefore, there is no difference in construction between the invention related to claim 1 and the invention described in Cited Reference 1. Although, in claim 1, there is no definition of "backing" and it is unclear in which side of the substrate the backing is provided, since the construction in which a coil is arranged between a ferromagnetic backing and a test body is a well known technique in the magnetic sensor as disclosed in Cited Reference 2 or 3 as shown in the drawings of this application, any special difficulty is not recognized in arranging the coil between the ferromagnetic member and the test body in the invention described in Cited Reference 1.

Therefore, the invention related to claim 1 could have easily been thought by those skilled in the art on the basis of the inventions described in Cited References 1 to 3.

- Concerning the invention related to claim 2

The "flexible substrate" in Cited Reference 1 corresponds to the "flexible foil" in claim 2.

- Concerning to the invention related to claim 3

In Cited Reference 1, "polyimide" is disclosed as a material of "a flexible substrate" (refer to lines 44 to 50, left column, page 5).

The invention described in Cited Reference 1 includes a "coil".

- Concerning to the invention related to claim 5

Any special difficulty is not recognized in using a "polymer foil" mixed with "ferrite" as a "ferrite support" in Cited Reference 1.

- Concerning the invention related to claim 6

The "ferrite support" of Cited Reference 1 also has "flexibility".

- Concerning the invention related to claim 7

In order to intimately adhere the probe to a test body, the probe of Cited Reference 1 is "flexible" as a whole. It is not recognized as specifically difficult to employ, in order to maintain the "flexibility" of the whole probe in Cited

Reference 1, "a plastically deformable encapsulation compound".

- Concerning the invention related to claim 8

It is recognized that that one coil is arranged in a planner manner on the substrate in the invention described in Cited Reference 1.

- Concerning the invention related to claim 9

The probe of Cited Reference 1 is also an "eddy current measuring" probe.

- Concerning the invention related to claim 10

In Cited Reference 1, the "ferrite support" functions as a "ferromagnetic signal amplifier".

- Concerning the invention related to claim 11

Any difficulty is not recognized in applying the probe to radius of curvature up to 50 mm.

- Concerning the invention related to claim 12

It could have easily been done by those skilled in the art to configure the eddy current probe as designated correspondingly to a configuration of a body to be tested.

[Reason 2]

The description of the scope of demand for patent of this application does not satisfy the stipulation of Article 36 paragraph 6 clause 2 of the Patent Law in the following points.

Note

It is unclear how to define claim 1 by the description of claim 10. (The description of claim 10 seems to be described in claim 1 already.)

List of Cited References

1. JP-A-05-142205
2. CD-ROM of Utility Model Application No. 05-069138
(JP-UM-A-07-038956)
3. JP-A-58-153157